



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/789,671	02/27/2004	Anthony David Hayward	16898-002001	7573
20/985 7590 05/28/2008				
FISH & RICHARDSON, PC				
P.O. BOX 1022				
MINNEAPOLIS, MN 55440-1022				
EXAMINER				
SHEPARD, JUSTIN E				
ART UNIT		PAPER NUMBER		
2623				
MAIL DATE		DELIVERY MODE		
05/28/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/789,671

Applicant(s)

HAYWARD ET AL.

Examiner

Justin E. Shepard

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-59 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/55/08)
Paper No(s)/Mail Date 2/27/04
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 58 and 59 are rejected under 35 U.S.C. 102(e) as being anticipated by Girouard.

Referring to claim 58, Girouard discloses a method of providing media assets to users over a network (figure 3), the method comprising:

receiving video content from content providers (figure 5);

creating video assets with previewable versions from said content (column 14, lines 9-16);

providing an interactive interface that allows users to preview said previewable versions of said video assets (figure 7), select video assets, and request delivery of said selected video assets (column 14, lines 9-16);

receiving a request from a requesting user to deliver one or more selected video assets (figure 6);

transmitting said selected video assets to said requesting user (figure 6); and

transmitting to said requesting user text descriptions of a plurality of scenes in said selected video assets (column 14, lines 9-16).

Claim 59 is rejected on the same grounds as claim 58.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 8-11, 14-17, 19, 21, 38, 41, 42, and 46-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Girouard in view of Abdallah in view of Leong.

Referring to claim 1, Girouard discloses a method of distributing broadcast standard video footage to a plurality of users (figure 3), the method comprising:

receiving video footage from one or more content providers (figure 5);

processing the video footage to create a plurality of assets, each asset having a broadcast standard video footage and a preview version (figure 5; figure 7);

providing a user interface that allows a plurality of users to (a) access a plurality of preview versions via a network connection and (b) request delivery of broadcast standard video footage (figure 7; column 4, lines 11-18);

receiving a user request to obtain a broadcast standard video footage, the user request identifying the broadcast standard video footage (column 14, lines 9-16); and

fulfilling the user request (figure 6, part 670).

Girouard does not disclose a method for providing a plurality of delivery types for the broadcast standard video footage, the delivery types comprising at least three of a download via HyperText Transfer Protocol (HTTP), a digital push to a user-specified File Transfer Protocol (FTP) server location, a digital pull from a pre-determined FTP folder, a satellite transmission, and a mailing of physical media to the user; and

the user request identifying a delivery type selected from the plurality of delivery types.

In an analogous art, Abdallah teaches a method for providing a plurality of delivery types for the broadcast standard video footage, the delivery types comprising at least three of a download via HyperText Transfer Protocol (HTTP), a digital push to a user-specified File Transfer Protocol (FTP) server location, a digital pull from a pre-determined FTP folder, a satellite transmission, and a mailing of physical media to the user (paragraph 23).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the plurality of delivery types taught by Abdallah to the method disclosed by Girouard. The motivation would have been that the more delivery types provided, the more flexible the system becomes, which makes the system more valuable to possible customers.

Girouard and Abdallah do not disclose a method wherein the user request identifying a delivery type selected from the plurality of delivery types.

In an analogous art, Leong teaches a method wherein the user request identifying a delivery type selected from the plurality of delivery types (column 7, lines 52-61).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the delivery type request taught by Leong to the method disclosed by Girouard and Abdallah. The motivation would have been to enable the system to relay the request to the server, enabling the system to fulfill the request.

Claims 38, 46, 47, and 48 are rejected on the same grounds as claim 1.

Referring to claim 2, Girouard discloses a method of Claim 1, wherein fulfilling the user request is performed automatically by computers (figure 6, part 660).

Referring to claim 3, Girouard discloses a method of Claim 1, wherein the user interface is a web site, and the network connection is an Internet connection (figure 7).

Claim 41 is rejected on the same grounds as claim 3.

Referring to claim 4, Girouard, Abdallah and Leong do not disclose a method of Claim 1, wherein the broadcast standard video footage comprise Motion Picture Experts Group (MPEG)-2 files.

It is notoriously well known in the art to distribute MPEG2 video over the internet.

At the time of the invention, it would have been obviously well known in the art to add the MPEG2 video distribution to the method disclosed by Girouard, Abdallah and

Art Unit: 2623

Leong. The motivation would have been to use a well known protocol, such as MPEG2, to save on development costs.

Referring to claim 5, Girouard, Abdallah and Leong do not disclose a method of Claim 1, wherein the broadcast standard video footage comprise Motion Picture Experts Group (MPEG)-4 files.

It is notoriously well known in the art to distribute MPEG4 video over the internet.

At the time of the invention, it would have been obviously well known in the art to add the MPEG4 video distribution to the method disclosed by Girouard, Abdallah and Leong. The motivation would have been to use a well known protocol, such as MPEG4, to save on development costs.

Referring to claim 8, Girouard discloses a method of Claim 1, further comprising: separating the video footage received from the content providers into a plurality of assets; creating an asset record for each asset; creating a preview version and a production version for each asset, the preview version and production version being selected from a plurality of formats; and associating the selected formats with the asset record (figure 5).

Referring to claim 9, Girouard discloses a method of Claim 8, further comprising tagging each asset record with meta data (figure 5).

Referring to claim 10, Girouard discloses a method of Claim 8, further comprising making each asset available to an automated software process (column 6, lines 36-39).

Referring to claim 11, Girouard discloses a method of Claim 1, further comprising: time coding an analog tape received from a content provider; establishing a plurality of assets from the tape; logging the tape into a media server; generating a plurality of clips from the tape; digitizing the clips with an asset ID; and converting the digitized clips to a media player format comprising at least one of Windows Media File (WMF), Quick Time (QT) and Real Player (figure 5; column 6, lines 7-12).

Referring to claim 14, Girouard discloses a method of Claim 1, further comprising presenting at least one of audio files, image files and text files associated with the broadcast standard video footage to the users on the user interface (figure 6).

Referring to claim 15, Girouard discloses a method of Claim 14, further comprising delivering at least one of the audio files, image files and text files associated with the broadcast standard video footage to the users (figure 7).

Referring to claim 16, Girouard discloses a method of Claim 14, further comprising organizing assets into a story to display on the user interface, each story comprising a broadcast standard video footage and at least one of an audio file, image file and text file associated with the broadcast standard video footage (figure 7).

Referring to claim 17, Girouard discloses a method of Claim 14, further comprising providing preview and production versions of at least one of the audio files, image files and text files (figure 7).

Referring to claim 19, Girouard discloses a method of Claim 1, further comprising trans-coding the video footage into digital formatted assets. (figure 5).

Referring to claim 21, Girouard discloses a method of Claim 1, wherein the video footage from the content providers comprise at least one of analog tapes, digital tapes, satellite transmissions, DVDs and digital files (figure 5).

Referring to claim 42, Girouard discloses a system of Claim 38, wherein the communication module on the user computer comprises a software application on a user desktop (figure 7).

Claims 6 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Girouard, Abdallah and Leong as applied to claim 1 above, and further in view of Benschoter.

Referring to claim 6, Girouard, Abdallah and Leong do not disclose a method of Claim 1, further comprising presenting snapshots of the preview versions in a plurality of categories on the user interface.

In an analogous art, Benschoter teaches a method of Claim 1, further comprising presenting snapshots of the preview versions in a plurality of categories on the user interface (paragraph 28).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the categories taught by Benschoter to the method disclosed by Girouard, Abdallah and Leong. The motivation would have been to organize the content so the information will be easier to select.

Referring to claim 7, Girouard, Abdallah and Leong do not disclose a method of Claim 1, further comprising organizing assets into a plurality of stories for display on the user interface.

In an analogous art, Benschoter teaches a method of Claim 1, further comprising organizing assets into a plurality of stories for display on the user interface (paragraph 28).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the categories taught by Benschoter to the method disclosed by Girouard, Abdallah and Leong. The motivation would have been to organize the content so the information will be easier to select.

Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Girouard, Abdallah and Leong as applied to claim 1 above, and further in view of Kamada.

Referring to claim 12, Girouard, Abdallah and Leong do not disclose a method of Claim 1, further comprising: registering a plurality of users by collecting information from each user; and comparing the collected information with a database of broadcast media contact information.

In an analogous art, Kamada teaches a registering a plurality of users by collecting information from each user; and comparing the collected information with a database of broadcast media contact information (Abstract).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the information collecting taught by Kamada to the method disclosed by Girouard, Abdallah and Leong (Hereafter referred to as GAL). The motivation would have been to enable the server to track the media usage, and better track which media can be deleted to conserve space.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over GAL as applied to claim 1 above, and further in view of Judd.

Referring to claim 13, GAL does not disclose a method of Claim 1, further comprising creating a password protected FTP folder for a user for the digital pull delivery type.

In an analogous art, Judd teaches a method of Claim 1, further comprising creating a password protected FTP folder for a user for the digital pull delivery type (column 6, line 53 to column 7, line 2).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the password protected folder taught by Judd to the method disclosed by GAL. The motivation would have been to enable only authorized people to view the content.

Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over GAL as applied to claim 17 above, and further in view of Kikinis.

Referring to claim 18, GAL does not disclose a method of Claim 17, wherein a preview version of an image has a resolution of X dots per inch and a production version of the image has a resolution of dots per inch, X being smaller than Y.

In an analogous art, Kikinis teaches a method of Claim 17, wherein a preview version of an image has a resolution of X dots per inch and a production version of the image has a resolution of dots per inch, X being smaller than Y (paragraph 51).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the preview image size taught by Kikinis to the method disclosed by GAL. The motivation would have been to enable bandwidth to be saved by using smaller resolution images.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over GAL as applied to claim 1 above, and further in view of APTN website.

Referring to claim 20, GAL does not disclose a method of Claim 1, wherein the satellite transmission uses a Associated Press Television News (APTN) system.

In an analogous art, APTN website teaches a method of Claim 1, wherein the satellite transmission uses a Associated Press Television News (APTN) system (Website).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the APTN protocol taught by the APTN website to the method disclosed by GAL. The motivation would have been to use a known protocol to save on development costs.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over GAL as applied to claim 1 above, and further in view of Yamade.

Referring to claim 22, GAL does not disclose a method of Claim 1, wherein the pre-determined FTP folder comprises an automatically created, user-specific, password protected FTP folder on a FTP server of a service provider.

In an analogous art, Yamade teaches a method of Claim 1, wherein the pre-determined FTP folder comprises an automatically created, user-specific, password protected FTP folder on a FTP server of a service provider (paragraph 95).

At the time of the invention, it would have obvious for one of ordinary skill in the art to add the password protected folder taught by Yamade. The motivation would have been to stop unauthorized users from accessing the data.

Claims 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over GAL as applied to claim 1 above, and further in view of Hansen.

Referring to claim 23, GAL does not disclose a method of Claim 1, further comprising: compiling two or more broadcast standard video footages requested by a user into a compilation; and delivering the compilation to the user.

In an analogous art, Hansen teaches a method of Claim 1, further comprising: compiling two or more broadcast standard video footages requested by a user into a compilation; and delivering the compilation to the user (figure 4).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the compilation creation taught by Hansen to the method disclosed by GAL. The motivation would have been to enable the system to only present the pertinent information to the user.

Referring to claim 24, GAL does not disclose a method of Claim 23, wherein the compilation comprises a single digital file.

In an analogous art, Hansen teaches a method of Claim 23, wherein the compilation comprises a single digital file (figure 4).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the compilation creation taught by Hansen to the method disclosed by GAL. The motivation would have been to enable the system to only present the pertinent information to the user.

Referring to claim 25, GAL does not disclose a method of Claim 23, wherein the compilation comprises a single physical medium delivered to the user.

In an analogous art, Hansen teaches a method of Claim 23, wherein the compilation comprises a single physical medium delivered to the user (figure 4).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the compilation creation taught by Hansen to the method disclosed by GAL. The motivation would have been to enable the system to only present the pertinent information to the user.

Claims 26-30 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Girouard in view of Abdallah in view of Leong in view of Cook.

Referring to claim 26, Girouard discloses a system comprising:

a content processing system coupled to the local media server to receive video footage from one or more content providers, process the video footage and create a plurality of assets, each asset having a broadcast standard video footage and a preview version, the content processing system transferring the created assets to at least one of the local media server and a central media server (figures 5 and 6);

a central media server in communication with the local media server and content processing system, the central media server being operable to store broadcast standard video footage (figures 3 and 7);

a content manager application executable by a database server to manage the assets (figure 3);

a web server coupled to the central media server to provide a web site that allows a plurality of users to (a) access a plurality of preview versions and (b) request delivery of broadcast standard video footage (figure 7); and

wherein the fulfillment application is operable to process user requests (figure 6).

Girouard does not disclose a system with a fulfillment application executable by the database server to provide a plurality of delivery types for the broadcast standard video footage, the delivery types comprising at least three of a download via HyperText Transfer Protocol (HTTP), a digital push to a user- specified File Transfer Protocol (FTP) server location, a digital pull from a pre-determined FTP folder, a satellite transmission, and a mailing of physical media to the user;

deliver broadcast standard video footage according to a delivery type in the user requests selected from the plurality of delivery types; and

a local media server.

In an analogous art, Abdallah teaches a system with a fulfillment application executable by the database server to provide a plurality of delivery types for the broadcast standard video footage, the delivery types comprising at least three of a download via HyperText Transfer Protocol (HTTP), a digital push to a user- specified File Transfer Protocol (FTP) server location, a digital pull from a pre-determined FTP folder, a satellite transmission, and a mailing of physical media to the user (paragraph 23).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the plurality of delivery types taught by Abdallah to the method disclosed

by Girouard. The motivation would have been that the more delivery types provided, the more flexible the system becomes, which makes the system more valuable to possible customers.

Girouard and Abdallah do not disclose a method that can deliver broadcast standard video footage according to a delivery type in the user requests selected from the plurality of delivery types.

In an analogous art, Leong teaches a method that can deliver broadcast standard video footage according to a delivery type in the user requests selected from the plurality of delivery types (column 7, lines 52-61).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the delivery type request taught by Leong to the method disclosed by Girouard and Abdallah. The motivation would have been to enable the system to relay the request to the server, enabling the system to fulfill the request.

GAL does not disclose a system with a local media server.

In an analogous art, Cook teaches a system with a local media server (figures 1 and 3).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the local media server taught by Cook to the system disclosed by GAL. The motivation would have been to better utilize the bandwidth by utilizing the local servers to distribute the data.

Claim 27 is rejected on the same grounds as claim 4.

Claim 28 is rejected on the same grounds as claim 5.

Referring to claim 29, Girouard does not disclose a system of Claim 26, further comprising a File Transfer Protocol (FTP) server in communication with the database server and the central media server to deliver digital broadcast standard video footage to users.

In an analogous art, Abdallah teaches a system of Claim 26, further comprising a File Transfer Protocol (FTP) server in communication with the database server and the central media server to deliver digital broadcast standard video footage to users (paragraph 23).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the plurality of delivery types taught by Abdallah to the method disclosed by Girouard. The motivation would have been that the more delivery types provided, the more flexible the system becomes, which makes the system more valuable to possible customers.

Claim 30 is rejected on the same grounds as claim 19.

Referring to claim 32, GAL does not disclose a system of Claim 26, further comprising a second local media server in a second production office separate from a first production office of the first local media server.

In an analogous art, Cook teaches a system of Claim 26, further comprising a second local media server in a second production office separate from a first production office of the first local media server (figures 1 and 3).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the local media server taught by Cook to the system disclosed by GAL. The motivation would have been to better utilize the bandwidth by utilizing the local servers to distribute the data.

Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over GAL and Cook as applied to claim 26 above, and further in view of Herrmann.

Referring to claim 31, GAL and Cook do not disclose a system of Claim 26, further comprising firewalls and user passwords to protect data in the central media server.

In an analogous art, Herrmann teaches a system of Claim 26, further comprising firewalls and user passwords to protect data in the central media server (paragraph 31).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the firewall and passwords taught by Herrmann to the system disclosed by GAL and Cook. The motivation would have been to enable that unauthorized users were not able to access the content.

Claims 33, 34, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Girouard in view of Parrella.

Referring to claim 33, Girouard discloses a method of providing media assets to users over a network (figure 3), the method comprising:

receiving media content from content providers (figure 5);

creating assets with previewable versions from said content (figures 5 and 7);

providing an interactive interface that allows a plurality of users to preview said previewable versions of said assets, select assets, and request delivery of selected assets (figure 7);

receiving a request from a requesting user to deliver one or more selected assets (figure 6).

Girouard does not disclose a method for transmitting said selected assets to a File Transfer Protocol (FTP) server identified by said requesting user.

In an analogous art, Parrella teaches a method for transmitting said selected assets to a File Transfer Protocol (FTP) server identified by said requesting user (paragraph 98).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the specific server requesting taught by Parrella to the system disclosed by Parrella. The motivation would have been to enable the user to select the closest server to reduce latency.

Claim 34 is rejected on the same grounds as claim 4.

Referring to claim 37, Girouard discloses a method of Claim 33, wherein said assets comprise one or more of video, images, audio, text, and an integrated combination thereof (figure 5).

Claims 35 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Girouard and Parrella as applied to claim 33 above, and further in view of Nguyen.

Referring to claim 35, Girouard and Parrella do not disclose a method of Claim 33, wherein said requesting user controls access to said FTP server, the method further comprising: receiving access information for said FTP server from said requesting user; and using said access information to access said FTP server.

In an analogous art, Nguyen teaches a method of Claim 33, wherein said requesting user controls access to said FTP server, the method further comprising: receiving access information for said FTP server from said requesting user; and using said access information to access said FTP server (paragraph 1035).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the user access server taught by Nguyen to the system disclosed by Girouard and Parrella. The motivation would have been to enable the servers to better deal with a plurality of users.

Referring to claim 36, Girouard and Parrella do not disclose a method of Claim 33, further comprising: controlling user access to said FTP server; allocating a memory portion of said FTP server to said requesting user; transmitting access information to

said requesting user, said access information permitting said requesting user to access said memory portion so that said requesting user can obtain said one or more selected assets.

In an analogous art, Nguyen teaches a method of Claim 33, further comprising: controlling user access to said FTP server; allocating a memory portion of said FTP server to said requesting user; transmitting access information to said requesting user, said access information permitting said requesting user to access said memory portion so that said requesting user can obtain said one or more selected assets (paragraph 1035).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the user access server taught by Nguyen to the system disclosed by Girouard and Parrella. The motivation would have been to enable the servers to better deal with a plurality of users.

Claims 43-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Girouard in view of Nadarajah.

Referring to claim 43, Girouard discloses a method of providing media assets to users via a satellite transmission (figure 3), the method comprising:

receiving media content from content providers (figure 5);

creating assets with previewable versions from said content (figures 5 and 7);

providing an interactive interface that allows users to preview said previewable versions of said assets, select assets, and request delivery of said selected assets (figure 7);

receiving a request from a requesting user to deliver one or more selected assets (figure 6).

Girouard does not disclose a method for provisioning a satellite transmission of said selected assets to said requesting user.

In an analogous art, Nadarajah teaches a method for provisioning a satellite transmission of said selected assets to said requesting user (figure 2).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the satellite communication taught by Nadarajah to the system disclosed by Girouard. The motivation would have been to enable a faster transfer rate available in more locations.

Claim 45 is rejected on the same grounds as claim 43.

Referring to claim 44, Girouard does not disclose a method of Claim 43, further comprising informing said requesting user of a time and reception channel at which said one or more selected assets will be transmitted.

In an analogous art, Nadarajah teaches a method of Claim 43, further comprising informing said requesting user of a time and reception channel at which said one or more selected assets will be transmitted (figure 2).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the satellite communication taught by Nadarajah to the system disclosed by Girouard. The motivation would have been to enable a faster transfer rate available in more locations.

Claims 49 and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over GAL as applied to the claims above, and further in view of Carstens.

Referring to claim 49, GAL does not disclose a method of Claim 48, further comprising allowing the user to change the preference description.

In an analogous art, Carstens teaches a method of Claim 48, further comprising allowing the user to change the preference description (paragraph 60).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the user preferences taught by Carstens to the method disclosed by GAL. The motivation would have been to enable the user to select a delivery method once, and not have to change it again unless needed.

Claim 52 is rejected on the same grounds as claims 48 and 49.

Claim 50 is rejected under 35 U.S.C. 103(a) as being unpatentable over GAL as applied to claim 48 above, and further in view of Ulate.

Referring to claim 50, GAL does not disclose a method of Claim 48, wherein said supplemental information comprises said first user's mailing address.

In an analogous art, Ulate teaches a method of Claim 48, wherein said supplemental information comprises said first user's mailing address (paragraph 40).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the mailing address input taught by Ulate to the method disclosed by GAL. The motivation would have been to enable the system to know where the media sent by Abdallah should be sent.

Claim 51 is rejected under 35 U.S.C. 103(a) as being unpatentable over GAL as applied to claim 48 above, and further in view of Nguyen.

Claim 51 is rejected on the same grounds as claim 39.

Claims 53-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Girouard in view of Jilk.

Referring to claim 53, Girouard discloses a method of providing media assets to users over a network (figure 3), the method comprising:

receiving media content from content providers (figure 5);

creating assets with previewable versions from said content (figure 7);

select assets, and request delivery of said selected, specifically identified assets (figure 6);

receiving a request from said first user for delivery of said selected, specifically identified assets (figure 6); and

transmitting said selected, specifically identified assets to said first user (figure 6).

Girouard does not disclose a method for assigning each of said assets to one or more of a plurality of categories;

receiving an identification of one or more categories of interest from a first user;

sending to said first user an email message that identifies specific assets within said one or more identified categories, said email message including a hyperlink to a web page that describes said specifically identified assets and permits said first user to preview viewable versions of said specifically identified assets.

In an analogous art, Jilk teaches a method for assigning each of said assets to one or more of a plurality of categories;

receiving an identification of one or more categories of interest from a first user;

sending to said first user an email message that identifies specific assets within said one or more identified categories, said email message including a hyperlink to a web page that describes said specifically identified assets and permits said first user to preview viewable versions of said specifically identified assets (paragraph 144; figure 3A).

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the category email taught by Jilk to the method disclosed by Girouard. The motivation would have been to enable the searching to be performed on a mobile device, such as a cell phone, as an email does not require a large amount of bandwidth.

Referring to claim 54, Girouard discloses a method of Claim 53, wherein said web page includes a text description of the specifically identified assets (figure 7).

Referring to claim 55, Girouard and Jilk do not disclose a method of Claim 53, wherein the email message includes a text description of the specifically identified assets.

It is notoriously well known in the art to list the descriptions in the URL links to inform the users what files the links refer to.

At the time of the invention, it would have been obvious for one of ordinary skill in the art to add the category email taught by Jilk to the method disclosed by Girouard. The motivation would have been to enable the searching to be performed on a mobile device, such as a cell phone, as an email does not require a large amount of bandwidth.

Referring to claim 56, Girouard discloses a method of Claim 55, wherein one or more of the specifically identified assets comprise video segments and the text description describes a plurality of individual scenes in said video segments (figure 7).

Claim 57 is rejected on the same grounds as claim 53.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin E. Shepard whose telephone number is (571) 272-5967. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Chris Kelley/
Supervisory Patent Examiner, Art
Unit 2623